

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/647,600
Applicant : Laughlin G. McCullough
Filed : August 25, 2003
Art Unit : 1713
Examiner : Lu, C Caixia

Confirmation No. 2400

Docket No. : 2002U014.US
Customer No. : 25959

Date : September 1, 2004

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OFFICE OF PETITIONS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.313 (c)(1)

Sir:

Applicants Petition for Withdrawal from Issue of the above referenced, Allowed Application and continued Examination based on the Amendment filed herewith.

ISSUE

Applicants believe that one or more claims of the above referenced Application are unpatentable.

FACTS

The claimed process of producing a metallocene catalyst component in independent claims 1 and 35, and the method of producing a polyolefin in independent claim 20, is described in a publication having a publication date before the filing date of August 25, 2003 of the present Application. The Journal article is E.F. Murphy et al. in *Organometallic Fluorides: Compounds Containing Carbon—Metal—Fluorine Fragments of d-Block Metals*, 97 CHEM. REV. 3425-3468 (1997).

Applicants paid the issue fee on the above referenced case on July 23, 2004.

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CONCLUSION

Applicants' statement that at least one claim is unpatentable, when accompanied by the Petition Fee set forth in 37 C.F.R. § 1.17 (h), are grounds for withdrawal of the Application from Issue.

Applicants' Agent notes that while not of record in the above referenced case, the signature below constitutes a representation that Douglas W. Miller is authorized to represent Univation Technologies, LLC in this particular matter.

Note is made that the correspondence should be sent to:

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However, the telephone number for Douglas W. Miller is (713) 780-7799.

Respectfully submitted,

Douglas W. Miller
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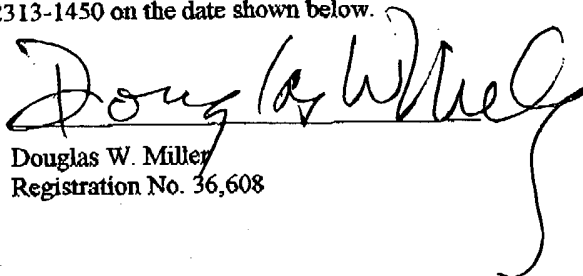
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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

September 1, 2004

Date


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